

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CAREY D. EBERT

§

Plaintiff,

§

v.

Civil Action No.: 4:15-cv-225-O

MICHAEL GUSTIN, et al.,

§

Defendants

§

**NOTICE OF APPEAL**

Notice is hereby given that Separate Defendants, Matthew J. Cohen, Howard Miller Appel and Ernest A. Bartlett, III, Separate Defendants in the above named case, hereby appeal to the United States Court of Appeals for the Fifth Circuit from: (I) the Final Judgment entered in this action on March 7, 2018 [Dkt. No. 332]; (ii) the Order dated January 22, 2018 [Dkt. No. 320]; and (iii) the Order dated March 7, 2018 [Dkt. No. 331].

Respectfully submitted,

By: /s/ Kenneth R. Shemin  
Kenneth R. Shemin  
AR Bar No. 78138

SHEMIN LAW FIRM, PLLC  
5100 W J.B. Hunt Drive  
Suite 1010  
Rogers, AR 72758  
Telephone: (479) 845-3305  
Facsimile: (479) 845-2198  
[Ken@sheminfirm.com](mailto:Ken@sheminfirm.com) (Email)  
(Admission *Pro Hac Vice*)

and

Mark B. French  
LAW OF MARK B. FRENCH  
1901 Central Drive  
Suite 704  
Bedford, TX 76021  
Telephone: (817) 268-0505  
Facsimile: (817) 796-1396  
[Mark@markfrenchlaw.com](mailto:Mark@markfrenchlaw.com) (Email)

Counsel for Howard Appel,  
Ernest A. Bartlett and Matthew Cohen

**CERTIFICATE OF SERVICE**

I, Kenneth R. Shemin, do hereby certify that a copy of the foregoing was served on all counsel of record herein via electronic mail on this 27<sup>th</sup> day of March, 2018.

/s/ Kenneth R. Shemin  
Kenneth R. Shemin